

# GRANADA SANITARY DISTRICT

## OF SAN MATEO COUNTY

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## MINUTES

### BOARD OF DIRECTORS REGULAR MEETING

### October 21, 2004

**CALL MEETING TO ORDER:** The Regular Meeting of the Board of Directors of the Granada Sanitary District was called to order at 7:40 p.m.

**ROLL CALL:** Attending Directors: Vice President Leonard Woren, Treasurer Matthew Clark, and Board Member Ric Lohman. President Shawn McGraw and Secretary Fran Pollard were absent.

Attending Staff: General Manager Chuck Duffy, Administrator Delia Comito, and District Legal Counsel Jonathan Wittwer.

**PLEDGE OF ALLEGIANCE:** Vice President Leonard Woren led those present in reciting the Pledge of Allegiance.

#### **GENERAL PUBLIC PARTICIPATION**

Director Woren reminded the Board and the public that the Board had previously passed a resolution in support of Proposition 1A "Protection of Local Government Revenues", which encouraged voters to vote in favor of Proposition 1A.

#### **PUBLIC HEARING**

##### **1. Public Hearing: Consideration of a Resolution Approving Amended Noncontingent Assessment, Sewage Treatment Facility Improvements Integrated Financing District, Amendment 8.**

District Administrator Delia Comito explained that the Engineer for the Assessment District had prepared Amendment No. 8 to reapportion the levied noncontingent assessments for parcels which had merged, divided, or changed parcel numbers within the past year. The report is available for public review, and a notice for this public hearing was mailed to all interested parcel owners. Ms. Comito also announced that the District had not received any written protests. Vice President Woren opened the Public Hearing. There were no written or oral protests, and Vice President Woren closed the Public Hearing.

**ACTION:** Director Clark moved to approve the Resolution Approving Amended Noncontingent Assessment, Sewage Treatment Facility Improvements Integrated Financing District, Amendment 8. (Res. No. 2004-018).  
(Clark/Lohman) Approved 3-0.

## **ACTION AGENDA**

**2. Consideration of a Resolution Amending and Restating Resolution No. 840, as previously amended, a Resolution Adopting Administrative Procedures to Determine Requests for Transactions in and for Relief from Noncontingent Assessments.**

The General Manager indicated that this item was continued from last month's board meeting to provide an explanation of the changes proposed to the procedures outlined in Resolution 840. District Counsel indicated that the primary procedural change was that final action on relief requests would be taken by the District Engineer and not the Board, subject to the right of the Applicant, any Board member or any interested person to appeal the decision by the District Engineer to the Board within 30 days of the decision. After discussion by the Board, the appeal period was extended to 45 days and the \$500 appeal fee was also deleted.

**ACTION:** Director Clark moved to approve a Resolution Amending and Restating Resolution No. 840, as previously amended, a Resolution Adopting Administrative Procedures to Determine Requests for Transactions in and for Relief from Noncontingent Assessments as amended above. (Res. No. 2004-019). (Clark/Lohman) Approved 3-0.

**3. Consideration of Re-adoption of Granada Sanitary District Ordinance Code and Secondary Codes.**

The General Manager explained that the operational review of the Code had not been entirely completed, and recommended that the item be tabled. The Board tabled the item.

**4. Consideration of a Resolution Rescinding Resolution 2004-013 Re: Resolution Amending GSD Conflict of Interest Code Designating General Manager as Filing Officer for Statement of Economic Interest Forms (Form 700) Filed Pursuant to Gov. Code Sec. 87500.**

The General Manager explained that the Clerk of the County of San Mateo had previously stated that the Clerk would no longer be acting as the filing officer for Statement of Economic Interest forms and had requested the district to adopt a Resolution designating a new filing officer. The Board therefore passed a resolution at last month's meeting making designating the General Manager as the filing officer for the District. Counsel Wittwer explained that he had subsequently received a letter from the County Clerk stating that County Counsel had determined that the Clerk must remain as the filing officer, and that the County Clerk had erred and was not legally able to transfer this responsibility to the District.

**ACTION:** Director Clark moved to approve the Resolution Rescinding Resolution 2004-013 Designating the General Manager as Filing Officer for Statement of Economic Interest Forms (Form 700) Filed Pursuant to Gov. Code Sec. 87500. (Res. No. 2004-020). (Clark/Lohman) Approved 3-0.

## **CONSENT AGENDA**

- 5. Approval of Special Meeting minutes for September 13, 2004.**
- 6. Approval of Regular Meeting minutes for September 16, 2004.**

7. **Approval of October 2004 warrants totaling \$107,866.29 (#1717-1753).**
8. **Approval of Administrative Costs Fund distribution #14 totaling \$3,993.94.**
9. **Approval of August 2004 Financial Statements.**
10. **Approval of Magellan Ave. Class 3 Mainline Extension to serve APN 048-024-070/080/180 and 048-024-350 (Bruce Stebbins)**
11. **Ratify Community Services District Ad Hoc Committee creation and appointments: Directors Lohman and Woren.**
12. **Approval of Quarterly Investment Report for June 30, 2004.**

**ACTION:** Director Lohman moved to approve the Consent Agenda.  
(Lohman/Clark) Approved 3-0.

#### **DIRECTORS' COMMENTS AND COMMITTEE REPORTS**

**13. Sewer Authority Mid-Coastside: September, 2004.**

Director Woren briefly summarized the Agricultural Water Quality Program presentation by Tim Frahm.

**14. Report on other seminars, conferences, or committee meetings.**

None.

#### **INFORMATION CALENDAR**

**15. General Manager's Report.**

- **Update on possible reorganization into a Community Services District.**

Chuck Duffy reported that the District had published a Notice of Intent to Adopt a Mitigated Negative Declaration (MND), and that the MND for the possible reorganization into a CSD had been sent to the State Clearinghouse for a 30 day public review period. The review period is from October 13 to November 12, 2004.

**16. Administrator's Report.**

The Administrator reported that the District field audit had been scheduled for the first week of December 2004.

**17. Attorney's Report.**

None.

#### **FUTURE AGENDA ITEMS**

#### **CLOSED SESSION**

The meeting adjourned to Closed Session at 8:21 p.m..

Conference with Legal Counsel:

**Existing Litigation Govt. Code Subdivision (a) of Section 54956.9 Superior Court of the State of California for the County of San Mateo Complaint: Foreclosure for Delinquent Payment of Assessment(s) Pursuant to Streets and Highways Code Section 8830 et seq.**

**Granada Sanitary District                      v. Process Research Case No. 417717**

The meeting reconvened to open session at 8:27 p.m. There was no reportable action.

**ADJOURN REGULAR MEETING:** The meeting adjourned at 8:28 p.m.

SUBMITTED BY:

APPROVED BY:

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Chuck Duffy, General Manager

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Fran Pollard, Board Secretary

Date Approved: November 18, 2004